

## HCS HB 653 -- EMERGENCY COMMUNICATIONS SERVICES (Lauer)

COMMITTEE OF ORIGIN: Committee on Crime Prevention and Public Safety

This substitute changes the laws regarding emergency communication systems, community paramedics, and the Advisory Committee for 911 Service Oversight; imposes a statewide prepaid wireless emergency telephone service charge; and repeals the provisions regarding the Wireless Service Provider Enhanced 911 Advisory Board.

### SALES TAX ON EMERGENCY COMMUNICATION SYSTEMS

The substitute adds taxes imposed on sales pursuant to Section 650.399 for the purpose of emergency communication systems to the current exclusions for tax increment financing redevelopment plans and projects adopted or approved by ordinance.

### COMMUNITY PARAMEDICS

The substitute allows a person to be eligible for certification by the Department of Health and Senior Services as a community paramedic if he or she is currently certified as a paramedic; successfully completes or has successfully completed a community paramedic certification program from a college, university, or educational institution that has been approved by the department or accredited by a national accreditation organization approved by the department; and completes an application form approved by the department. A community paramedic must practice in accordance with protocols and supervisory standards established by the medical director and must provide services of a health care plan if the plan has been developed by the patient's primary physician, an advanced practice registered nurse, or a physician assistant and the patient isn't receiving the same services from another provider. Any ambulance service must enter into a written contract to provide community paramedic services in another ambulance service area. The contract can be for an indefinite period of time, as long as it includes at least a 60-day cancellation notice by either ambulance service. The substitute specifies that a person cannot hold himself or herself out as a community paramedic or provide the services of the position unless he or she is licensed by the department. The medical director must approve the implementation of the community paramedic program

### EMERGENCY COMMUNICATION SERVICES

The substitute:

- (1) Changes the name of the Wireless Service Provider Enhanced 911

Service Fund to the Missouri 911 Service Fund;

(2) Authorizes any county to impose by order or ordinance a monthly fee, not to exceed \$1.50 per device, on any device capable of contacting 911 solely for the purpose of funding 911 service in the county upon approval by the voters of the county. All revenue from the fee will be deposited into the Missouri 911 Service Fund to be remitted monthly by the State Treasurer to the county commission that will control the funds unless the county has established an elected board to administer the funds. However, any county that has established a board for the purpose of administering funds for 911 service may continue to use the existing board to perform the functions after the county has adopted the monthly fee. The fee:

(a) Will be in lieu of the emergency telephone tax levy authorized under Section 190.305, RSMo, or the county sales tax authorized under Section 190.335 for funding the central dispatch of emergency services;

(b) Will not be imposed upon prepaid wireless telecommunications service customers who will be subject to the charge imposed under Section 190.451; and

(c) Cannot be imposed upon any landline capable of contacting 911 if the landline already is subject to a tax or fee imposed for the purpose of funding 911 service in the county;

(3) Prohibits any third classification county from submitting a proposal to the voters until either all providers of emergency telephone service within the county are consolidated into one public agency that provides emergency telephone service for the county or the county develops a plan for implementation of emergency telephone service that considers either consolidation or entering into a shared services agreement, if feasible; and

(4) Requires any third classification county that does not have a public agency that provides emergency telephone service for the county to either enter into a shared services agreement for providing emergency telephone services with an adjoining county with a public agency, if feasible, or form an emergency telephone services district in conjunction with any adjoining county with a public agency. If a district is formed, the governing body of the district will be the county commissioners of each county within the district, and each county within the district must submit to the voters a proposal to impose the specified fee.

STATEWIDE PREPAID WIRELESS EMERGENCY TELEPHONE SERVICE CHARGE

Beginning October 1, 2013, the substitute imposes a prepaid wireless emergency telephone service charge of 3% on each retail purchase of prepaid wireless telecommunications service. The amount of the charge must be separately stated to the consumer on an invoice, receipt, or other similar document or otherwise disclosed. If the sale of a prepaid wireless device includes 10 or fewer minutes or \$5 or less of wireless emergency telephone service, the seller can elect not to apply the service charge to the transaction. The substitute specifies the types of retail transactions that will be deemed to have occurred in this state.

The amount of the service charge that is separately stated on an invoice, receipt, or other similar document cannot be included in the base for measuring any tax, fee, surcharge, or other charge imposed by the state, any political subdivision of the state, or any intergovernmental agency.

The substitute specifies that a provider of wireless service must be entitled to the immunity and liability protections under Section 190.450. A seller that is not a wireless service provider must be entitled to the immunity and liability protections under Section 190.450, notwithstanding any requirement in state law regarding compliance with Federal Communications Commission Order 05-116.

The prepaid wireless emergency telephone service charge established by the substitute must be in addition to any other tax, fee, surcharge, or other charge imposed by the state, any political subdivision of the state, or any intergovernmental agency for 911 purposes.

These provisions do not apply to the counties of Jackson, Jefferson, St. Charles, and St. Louis.

#### MISSOURI 911 SERVICE BOARD

The substitute changes the name of the Advisory Committee for 911 Service Oversight to the Missouri 911 Service Board, reduces the number of committee members from 16 to 12, and changes the composition of the board. Additional new powers and responsibilities of the board are specified, including:

- (1) Electing the chair from its membership;
- (2) Designating a state 911 coordinator;
- (3) Applying for and receiving private and federal grants;
- (4) Preparing and presenting a report to the Governor and General

Assembly on the state of the state's 911 systems every five years, including specific efforts to improve efficiency, cost effectiveness, and levels of service;

(5) Administering and authorizing grants and loans to counties, except for the counties of Jackson, Jefferson, St. Charles, and St. Louis, that demonstrate a commitment to improving 911. The purpose of grants from the 911 service fund include:

- (a) Implementation of 911 services in every county of the state;
- (b) Promotion of consolidation where appropriate;
- (c) Mapping and addressing all county locations; and
- (d) Ensuring primary access and texting abilities to 911 services for disabled residents;

(6) Reporting to the Governor and General Assembly every five years on the status of 911 services statewide as well as specific efforts to improve efficiency, cost effectiveness, and levels of service;

(7) Conducting a survey every five years of public safety answering points in Missouri to evaluate the potential for improved services, coordination, and feasibility of consolidation; and

(8) Making and executing contracts or any other instruments and agreements necessary or convenient for the exercise of its powers and functions.

#### WIRELESS SERVICE PROVIDER ENHANCED 911 ADVISORY BOARD

The substitute repeals the provisions regarding the Wireless Service Provider Enhanced 911 Advisory Board.